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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE MARILYN L. HUFF, JUDGE)

UNITED STATES OF AMERICA, Plaintiff, v. BENJAMIN ZAZUERTA, aka Benjamin Zazuerta-Norzagaray, Defendant.	Criminal Case No. 08cr0896-H Date: May 12, 2008 Time: 2:00 P.M. **NOTICE OF MOTION AND MOTION FOR DISCOVERY**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND ANDREW G. SCHOPLER, ASSISTANT U.S. ATTORNEY

PLEASE TAKE NOTICE that on May 12, 2008, at 2:00 P.M., or as soon thereafter as counsel may be heard, defendant BENJAMIN ZAZUERTA, by and through his counsel, Ricardo M. Gonzalez, will respectfully move the Court for an order to grant the motion as set forth below.

MOTION

Defendant BENJAMIN ZAZUERTA, by and through his counsel, Ricardo M. Gonzalez, hereby moves this Court, pursuant to Rules 12 and 16 of the Federal Rules of Criminal Procedure, the *Jencks* Act (18 U.S.C. § 3500), *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, the Fourth, Fifth, and Sixth Amendments to the Constitution of the United States, and the general supervisory powers of this Court, for an Order compelling the Government to disclose, or in the case of tangible evidence, to produce for inspection and copying, all evidence and information in the possession, custody or control of the Government which may be favorable to the defendant, or material on the issue of guilt or innocence, or which could lead to material evidence, or evidence or information which could be useful in the examination of witnesses at trial; and for disclosure and inspection of the information requested in the attached memorandum of points and authorities.

This motion is based upon this notice of motion, the accompanying memorandum of points and authorities, the records and files in the instant case, and on any and all other matters that may be presented to this Court prior to or at the time of the hearing of this motion.

Dated: May 7, 2008

s/Ricardo M. Gonzalez
RICARDO M. GONZALEZ
Attorney for Defendant
Benjamin Schopler